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Office of the Director
Group 3600

In re application of
Berlin Rollins
Application No. 09/788,098
Filed: June 4, 2001
For: SAFETY LOCK FOR SEMIAUTOMATIC
HAND GUNS

DECISION ON PETITION
TO WITHDRAW THE
HOLDING OF ABANDONMENT

This is in response to applicant's petition to withdraw the holding of abandonment filed in the United States Patent and Trademark Office (USPTO) on March 31, 2003.

The petition is **DISMISSED as moot**.

A review of the application file reveals that an Office action was mailed on January 25, 2002 wherein a three-month shortened statutory period for reply was set. A reply was received on April 22, 2002, and proposed drawing changes was received on May 7, 2002. A letter of non-responsive amendment was mailed to applicant on June 21, 2002 wherein it was held that the reply filed May 7, 2002 (actually April 22, 2002) was unsigned. Since no response had been matched with the file and the six-month statutory period for response had expired, the application was held to be abandoned, and a Notice to that effect was mailed on March 19, 2003.

A further review reveals that the original response of July 9, 2002 has since been matched with the file. That original response is timely. Since a timely response to the Office communication of June 21, 2002 has been filed, the abandonment will be withdrawn. Since the original of the response in question is now in the file, there is no need to treat the petition on the merits and it is therefore dismissed as moot.

This application will be forwarded to the Supervisory Legal Instruments Examiner to withdraw the abandonment, return the application to pending status and enter the original response filed July 9, 2002 into the file, before forwarding to the examiner for consideration of the acceptability of the response.


Steven N. Meyers, Special Programs Examiner
Patent Technology Center 3600
Telephone No.: (703) 308-3868
Facsimile No.: (703) 605-0586

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